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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3161st meeting, held on 8 January 1993, in connection with the Council's consideration of the item entitled "The situation between Iraq and Kuwait":

"The Security Council is deeply disturbed by the Government of Iraq's recent Notes to the Office of the Special Commission in Baghdad and to the Headquarters of the United Nations Iraq-Kuwait Observation Mission (UNIKOM) that it will not allow the United Nations to transport its personnel into Iraqi territory using its own aircraft.

"The Security Council refers to resolution 687 (1991) requiring Iraq to permit the Special Commission and the IAEA to undertake immediate on-site inspection of any locations designated by the Commission. The agreement on facilities, privileges and immunities between the Government of Iraq and the United Nations, and resolutions 707 (1991) and 715 (1991) elaborated on Iraq's obligations by demanding, inter alia, that the Special Commission and the IAEA be allowed, as they determined necessary, to use their own aircraft throughout Iraq and any airfield in Iraq without interference or hindrance of any kind. Concerning UNIKOM, Iraq is obligated by resolution 687 (1991) and committed by an exchange of letters dated 15 April 1992 and 21 June 1992 respectively to the unrestricted freedom of entry and exit without delay or hindrance of its personnel, property, supplies, equipment, spare parts and means of transport.

"The implementation of the measures set out in the recent communications of the Iraqi Government would seriously impede the activities of the Special Commission, the IAEA and UNIKOM. Such restrictions constitute an unacceptable and material breach of the relevant provisions of resolution 687 (1991), which established the cease-fire and provided the conditions essential to the restoration of peace and security in the region, as well as other relevant resolutions and agreements.

"The Council demands that the Government of Iraq abide by its obligations under all relevant Security Council resolutions and cooperate fully with the activities of the Special Commission, the IAEA and UNIKOM. In particular, it demands that the Government of Iraq not interfere with the currently envisaged United Nations flights. The Security Council warns the Government of Iraq, as it has done in this connection in the past, of the serious consequences which would ensue from failure to comply with its obligations."